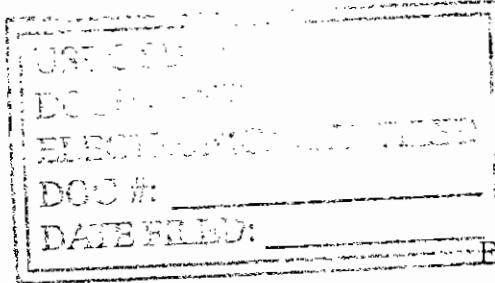


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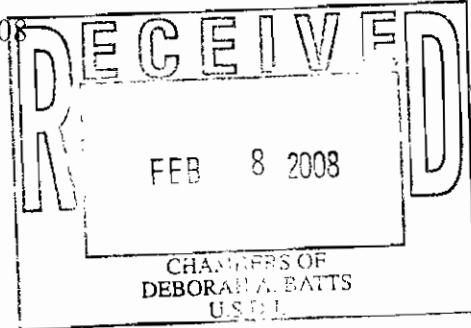
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February 8, 2008

BY HAND

Magistrate Judge Debra A. Batts  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2510  
New York, New York 10007

Re: **Miroglio S.P.A. and Coast to Coast Fabrics, Inc. v. La Belle Fashions, Inc. and J.C. Penney Company, Inc.**  
Index No. 2882

Dear Judge Batts:

We are counsel for defendants La Belle Fashions, Inc. and J.C. Penney Company, Inc. (collectively, "Defendants"). We write to request that the discovery cut-off date in this case, presently set for February 15, 2008, be extended sixty days, or until April 15, 2008. Counsel to Plaintiffs Miroglio S.P.A. and Coast to Coast Fabrics, Inc. (collectively, "Plaintiffs") joins in this request. This is the first such request from either party.

The parties have completed significant discovery (enumerated below) during the ninety-day discovery period ordered by the Court on November 16, 2007<sup>1</sup>. However, an additional sixty days are required to complete depositions, the scheduling of which has proven difficult given that the Plaintiffs are located in Italy and New York, respectively, and the Defendants are located in California and Texas, respectively.

The parties have conducted the following discovery:

- Plaintiffs have served separate Requests for the Production of Documents on each of the Defendants;
- Plaintiffs have served separate sets of Interrogatories on each of the Defendants;

<sup>1</sup> At an August 17, 2007 scheduling conference the Court instructed the parties to refrain from conducting discovery in order to pursue settlement discussions during the subsequent sixty days.

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Magistrate Judge Debra A. Batts  
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APPROVED ENDORSED

- Defendants have served separate Requests for the Production of Documents on each of the Plaintiffs;
- Defendants have served separate sets of Interrogatories on each of the Plaintiffs;
- Defendants have served responses and objections to each set of Plaintiffs' Interrogatories;
- Defendants have served responses and objections to each set of Plaintiffs' Requests for the Production of Documents;
- Plaintiffs and Defendants have submitted to the Court a Proposed Stipulated Protective Order; and
- Each party has gathered documents responsive to the other's discovery demands and is ready to exchange same immediately upon the entry of the Stipulated Protective Order.

Extending the discovery cut-off date by sixty days would also necessitate changing the following deadlines:

- Dispositive Motions extended from March 18, 2008 to May 19, 2008;
- Proposed Requests to Charge and Proposed Voir Dire extended from March 31, 2008 to May 30, 2008;
- Joint Pre-trial Statement extended from March 31, 2008 to May 30, 2008;
- Memoranda of Law addressing issues raised in the Joint Pre-trial Statement extended from March 31, 2008 to May 30, 2008; and

APPROVED ENDORSED

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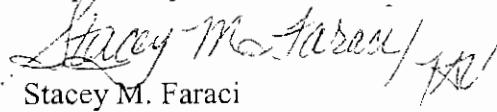
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- Responses to the Memoranda of Law extended from April 18, 2008 to June 18, 2008.

Thank you for your consideration of the within request.

Respectfully submitted,

  
Stacey M. Faraci

cc: Kenneth Schachter (via facsimile)

SO ORDERED

MEMO ENDORSED

  
DEBORAH A. BATT<sup>S</sup> 2/14/08  
UNITED STATES DISTRICT JUDGE